

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 4:03CR3014-1  
 )  
 Plaintiff, ) ) **MEMORANDUM  
 AND ORDER**  
 vs. )  
 )  
 HA T.T. NGUYEN, )  
 )  
 Defendant. )

Ms. Nguyen has submitted a letter to the Clerk of the Court requesting the appointment of counsel. This letter is apparently in response to Ms. Nguyen's appeal of the denial of her 2255 motion. Since that matter is pending before the Eighth Circuit Court of Appeals,

IT IS ORDERED that the motion (filing 321) is denied in this court, but the Clerk of this Court shall forward the motion to the Clerk of the Court of Appeals for such action as the Court of Appeals may deem appropriate.

DATED this 16<sup>th</sup> day of June, 2005.

BY THE COURT:

s/ Richard G. Kopf  
United States District Judge